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	Application No.	Applicant(s)
Notice of Allemahility	10/612,022	OBAYASHI ET AL.
Notice of Allowability	Examiner	Art Unit
	Michael J. Feely	1712
The MAILING DATE of this communication appearance All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RESIDENT OF THE OFFICE OF AUTOMOTION OF THE OFFICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RESIDENT.	(OR REMAINS) CLOSED in this ap or other appropriate communication IGHTS. This application is subject to	plication. If not included n will be mailed in due course. THIS
1. 🛛 This communication is responsive to amendment filed April	il 17, 2006 .	
2. The allowed claim(s) is/are <u>1-3,5,7,8 and 10-17</u> .		
3. Acknowledgment is made of a claim for foreign priority ur a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give 5. CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date	e been received. e been received in Application No cuments have been received in this of this communication to file a reply MENT of this application. witted. Note the attached EXAMINER es reason(s) why the oath or declarate to be submitted. son's Patent Drawing Review (PTO)	national stage application from the complying with the requirements at AMENDMENT or NOTICE OF ation is deficient.
(b) including changes required by the attached Examiner's	s Amendment / Comment or in the (Office action of
Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the	.84(c)) should be written on the drawi he header according to 37 CFR 1.121(ngs in the front (not the back) of (d).
DEPOSIT OF and/or INFORMATION about the depo- attached Examiner's comment regarding REQUIREMENT	sit of BIOLOGICAL MATERIAL	must be submitted. Note the
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ☐ Interview Summary Paper No./Mail Da 98), 7. ☐ Examiner's Amend	te

DETAILED ACTION

Pending Claims

Claims 1-3, 5, 7, 8, and 10-17 are pending.

Response to Amendment

1. The declaration under 37 CFR 1.132 filed April 17, 2006 is sufficient to overcome the rejection of claims 1-5, 7, 8, and 10-17 based upon Tsukada et al. (US Pat. No. 6,129,980).

Allowable Subject Matter

- 2. Claims 1-3, 5, 7, 8, and 10-17 are allowed.
- 3. The following is an examiner's statement of reasons for allowance:

Applicant has amended the property limitations of claim 4 (now cancelled) into independent claim 1. This shifts the rejection of claim 1 to an inherency-based rejection, as set forth in section 6 of the previous Office action. In light of this, the declaration filed under 37 CRF 1.132 clearly demonstrates that these properties are not inherent in Tsukada et al. – see Table B of the declaration.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Application/Control Number: 10/612,022

Art Unit: 1712

Communication

Page 3

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Feely whose telephone number is 571-272-1086. The examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael J. Feely Primary Examiner Art Unit 1712

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June 19, 2006